

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

APR 06 2018

CARLA A. CLEHM

Plaintiff,

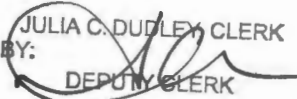
v.

BAE SYSTEMS ORDNANCE
SYSTEMS, INC., et al.

Defendants.

Case No. 7:16-cv-00012

By: Hon. Michael F. Urbanski
Chief United States District Judge

JULIA C. DUDLEY, CLERK
BY:  DEPUTY CLERK

ORDER

For the reasons set forth in the accompanying Memorandum Opinion entered this day, it is hereby **ORDERED** as follows:

1. Defendant Joshua Linkous's motion to dismiss (ECF No. 185) is **DENIED**.
2. Linkous is estopped from contesting liability as to the state law assault and battery claim alleged against him in Count II of the Second Amended Complaint. See 18 U.S.C. § 3664(d). As such, judgment will be entered in Clehm's favor as to this sole remaining claim.
3. The Clerk is directed to work with counsel and the Bureau of Prisons to schedule a one-day jury trial as to damages **only**. Defendant shall appear via videoconference from FCI Butner, where he is currently being housed.

It is **SO ORDERED**.

The Clerk is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to counsel of record and to pro se defendant Joshua Linkous, # 18904-084, FCI Butner, P.O. Box 999, Butner, NC 27509.

Entered: 04-06-2018

/s/ Michael F. Urbanski

Michael F. Urbanski
Chief United States District Judge